

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re

85 FLATBUSH RHO MEZZ LLC, *et al.*,¹

Debtors

Case No. 20-23280 (SHL)

Chapter 11

(Jointly Administered)

**ORDER DENYING DEBTORS' MOTION FOR ORDER PURSUANT
TO 11 U.S.C. § 363(k) DISQUALIFYING TH HOLDCO LLC FROM
CREDIT BIDDING**

Upon the Debtors' *Motion for an Order Pursuant to 11 U.S.C. § 363(k) Disqualifying TH Holdco LLC from Credit Bidding and Granting Related Relief* (the "Section 363(k) Motion") [Docket No. 232], and TH Holdco's objection thereto [Docket No. 266] and all related pleadings and proceedings; and upon the record on the hearing held by the Court on June 30, 2022 on, among other things, the Section 363(k) Motion (the "Confirmation Hearing"); and, after due deliberation and for the reasons stated by the Court in its bench ruling at the Confirmation Hearing, the Court having determined that the Debtors have not established sufficient cause for the requested relief in the Section 363(k) Motion; now, therefore, it is hereby

ORDERED, that the Section 363(k) Motion is denied, without prejudice to the rights of any party in interest to establish good and sufficient cause to limit or restrict TH Holdco's credit bidding rights based on materially facts from and after June 30, 2022 than the grounds asserted in the Section 363(k) Motion.

Dated: White Plains, New York
July 15, 2022

/s/ Sean H. Lane
United States Bankruptcy Judge

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, are: 85 Flatbush RHO Mezz LLC. (6184); 85 Flatbush RHO Hotel LLC (5027); and 85 Flatbush RHO Residential LLC (2261).